

## REMARKS

As a preliminary matter, Applicants thank the Examiner for the allowance of claims 23, 32-41, 57, 59-60, 63, and 65-66.

Claims 1, 8, 61, and 67-69 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Lien (U.S. 6,493,050) in view of Sonoda et al. (U.S. 6,433,852). Applicants respectfully traverse this rejection as follows.

With respect to independent claims 1 and 8, Applicants traverse the rejection because neither of the cited references, whether taken alone or in combination, teach or suggest directly adjacent terminal edges of colored filters, or that such directly adjacent filter edges are covered with spacers. Applicants submit that the Examiner has not given full consideration to all of the claim language recited in these two independent claims. Claims 1 and 8 do not merely recite that the edges of the colored filters are adjacent, but that they are directly adjacent. Neither of the two cited references shows this feature.

The Examiner acknowledges, on page 3 of the outstanding Office Action, that Lien does not disclose these features of claims 1 and 8. The Examiner cites only Sonoda for such features, but incorrectly describes the claims language of the present invention at issue. Specifically, the Examiner describes Sonoda as showing spacers “directly *covered* (sic) adjacent terminal edges of the colored filters.” (Emphasis added). Claims 1 and 8, however, do not recite such features as stated by the Examiner. Claims 1 and 8 do not recite that the spacers “directly cover” the adjacent terminal edges of the filters, as asserted by the Examiner. Instead, claims 1 and 8 specifically recite that the

spacers cover “directly adjacent terminal edges” of the filters. This distinction is not insignificant. In other words, the “direct” feature of the claims is with respect to the adjacent terminal edges, and not the *coverage*.

Fig. 7 of Sonoda clearly shows that the color filter FIL(R) is not directly adjacent the color filter FIL(G). The two color filters are clearly shown to be directly adjacent only to the black matrix BM, and not to each other. A similar deficiency occurs in Fig. 10 of Sonoda, which is the only other drawing cited by the Examiner. Fig. 10 shows two filters FIL, but which are not directly adjacent to each other. The two filters are clearly shown to be directly adjacent only to the overcoat film OC on the black matrix BM, which fills a substantial gap between both filters. Accordingly, since neither of the cited references shows terminal edges of the color filters to be directly adjacent, *a prima facie* case of obviousness has not been established according to Section 2143.03 of the MPEP, and the rejection with respect to claims 1 and 8 should be withdrawn.

With respect to independent claim 61 (and its dependent claim 69), Applicants traverse the rejection because neither of the references, taken alone or in combination, show first and second spacers both formed over a black matrix, and where the first spacer defines a cell gap between two substrates, as in claim 61. The Examiner acknowledges that Lien does not show either spacer formed over a black matrix. The Examiner cites only Sonoda for such features. Sonoda, however, does not show two such spacers formed over a black matrix.

Fig. 7 of Sonoda does show two spacers SP1, SP2 having differing heights and formed over a black matrix. Neither of the two spacers SP1, SP2, however, is shown

to decide the cell gap between the substrates SUB1, SUB2. At most, only the *combination* of the two spacers SP1, SP2 could be interpreted to decide the cell gap between the substrates. This combination, however, would only then be analogous to the first spacer of the present invention, which may be a single spacer, or a combination of stacked spacers. There is no second spacer shown by Sonoda in Fig. 7 to have a height lower than the combination of spacers SP1, SP2.

Fig. 10 of Sonoda is even further deficient with respect to the rejection of claim 61. Fig. 10 does not even show a second spacer stacked with a first spacer, or separate from it. Fig. 10 shows only a single spacer SP, and therefore is irrelevant to claim 61 of the present invention, which recites both the first and second spacers, which are both formed over a black matrix, and with the first spacer deciding a cell gap between substrates.

Nevertheless, although Applicants submit that no such amendment should be necessary, claim 61 has been further amended herein to redundantly clarify that the first and second spacers are separate when seen perpendicularly to the plane of the substrates. By this clarification, the Examiner's interpretation of the prior art spacers, discussed above, cannot be analogous to the present invention in any way. Accordingly, for at least these reasons, the Section 103 rejection of claim 61 (and its dependent claim 69) is respectfully traversed, and should also be withdrawn.

With respect to claim 67 of the present invention, claim 67 has been amended to clarify that the second spacer is separated from the first spacer when seen perpendicular to a planar direction of the substrate. This amendment better distinguishes

claim 67 from Sonoda. When seen perpendicular to a planar surface of either substrate, Fig. 7 of Sonoda shows both spacers SP1 and SP2 occupying the same space, and not separated from one another in the planar direction of the substrates. As discussed above, Fig. 10 of Sonoda does not even show a second spacer, and is therefore irrelevant to claim 67. Accordingly, the rejection of claim 67 is traversed in light of these amendments.

With respect to claim 68, however, claim 68 has been rewritten in independent form, because Applicants submit that the Section 103 rejection was deficient with respect to this claim. Specifically, neither Sonoda nor Lien, alone or in combination, teach or suggest first and second spacers both formed on a common electrode, both formed over a black matrix, and that the first spacers are formed by laminating two resin films, and that the second spacers are formed of any one of the two resin films of the first spacer.

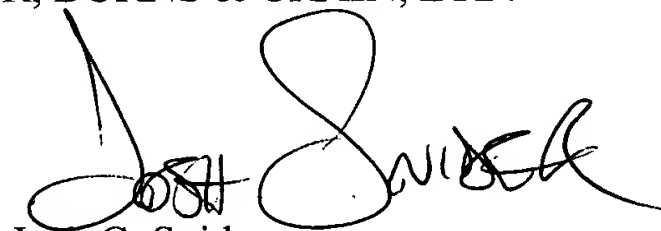
As discussed above, only the two spacers SP1, SP2 in *combination* can be interpreted to be analogous to the first spacer of the present invention, namely, one that is formed of two different films. Sonoda, however, fails to show any second “spacer” formed of one of the same films that forms either SP1 or SP2. Moreover, because SP1 and SP2 are only shown to be stacked on top of one another, Sonoda cannot be interpreted to teach or suggest that both of these portions of the single spacer stack are formed on the common electrode. Accordingly, for at least these reasons the Section 103 rejection of newly independent claim 68 is also respectfully traversed, and should be withdrawn.

For all of the foregoing reasons, Applicants submit that this Application, including claims 1, 8, 23, 32-41, 57, 59-61, 63, and 65-69, is in condition for allowance, which is respectfully requested. The Examiner is invited to contact the undersigned attorney if an interview would expedite prosecution.

Respectfully submitted,

GREER, BURNS & CRAIN, LTD.

By

A handwritten signature in black ink, appearing to read "Josh C. Snider", written over a horizontal line.

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